

IFW

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patent attorneys

April 26, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 26, 2006.

Gayle W. Chaney
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Date of Signature: 4/26/06

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/692,235 for
APPARATUS FOR ACQUIRING AND TRANSMITTING
NEURAL SIGNALS AND RELATED METHODS
Our Ref. No. 180/153

Sir:

Enclosed please find the following:

1. Response to Notice of Non-Compliant Amendment (2 pages);
2. Copy of Notice of Non-Compliant Amendment (2 pages);
3. Response to Restriction Requirement (Amended) (12 pages); and
4. A return-receipt postcard to be returned to our offices with the U.S. Patent and Trademark filing stamp thereon.

Please contact our offices if there are any questions with this matter.

Although it is believed that no fee is due, the Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Richard E. Jenkins

Richard E. Jenkins
Registration No. 28,428

REJ/gwc

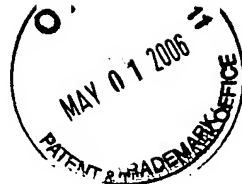
Enclosures

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wolf et al.

Group Art Unit: 3736

Serial No.: 10/692,235

Examiner: Patricia C. Mallari

Filed: October 23, 2003

Docket No.: 180/153

Confirmation No.: 8394

For: APPARATUS FOR ACQUIRING AND TRANSMITTING NEURAL SIGNALS
AND RELATED METHODS

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is pursuant to the "Notice of Non-Compliant Amendment" dated April 18, 2006, with a period for reply to expire on May 18, 2006. Please find enclosed the following:

1. An Amended Response to Restriction Requirement.

A copy of the Notice of Non-Compliant Amendment is being filed simultaneously.

Appl. Serial No.: 10/692,235

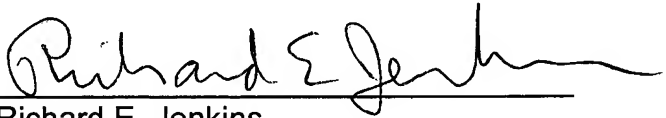
Although no fee is believed to be due, the Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: April 26, 2006

By:



Richard E. Jenkins

Registration No. 28,428

REJ/gwc

Enclosures

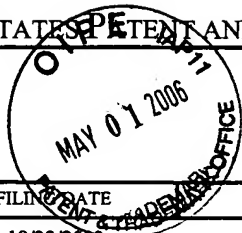
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180/153



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,235	10/23/2003	Patrick D. Wolf	180/153	8394

25297 7590 04/18/2006

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EXAMINER

MALLARI, PATRICIA C

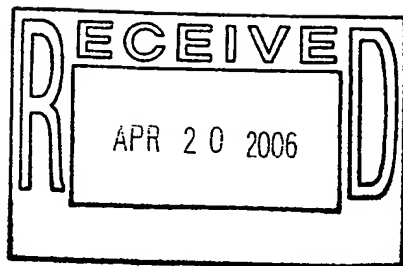
ART UNIT PAPER NUMBER

3736

DATE MAILED: 04/18/2006

COPY

Please find below and/or attached an Office communication concerning this application or proceeding.



initial: S/18/06
DOCKET DATES: Absolute: 10/18/06
ASSIGNED ATTY: RST/CPP/BTD
FILING: 180/153
DOCKETED BY: CMB
DATE: 4/21/06

**Notice of Non-Compliance
Amendment (37 CFR 1.121)**

Application No.

10/692,235

Examiner

Patricia C. Mallari

Applicant(s)

WOLF ET AL.

Art Unit

3736

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 02 February 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.